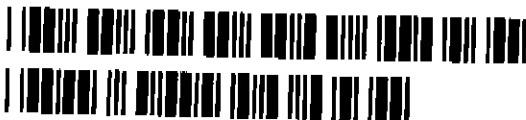


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07-CV-00679-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

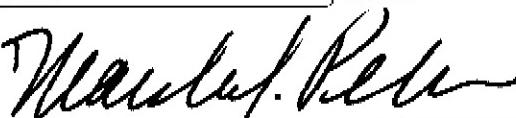
05 BARON N. HAGHIGHI,) CASE NO. C07-0679-MJP
06 Plaintiff,)
07 v.) ORDER DISMISSING § 1983 ACTION
08 LOUIS FRANTZ, et al.,)
09 Defendants.)

11 The Court, having reviewed the Report and Recommendation of the Honorable Mary
 12 Alice Theiler, United States Magistrate Judge, the objections thereto, and the balance of the
 13 record, does hereby ORDER:

- 14 (1) The Court adopts the Report and Recommendation;
- 15 (2) Mr. Haghghi does not challenge Magistrate Judge Theiler's substantive findings
 in her Report and Recommendation. Instead, Mr. Haghghi states that he is in the
 process of retaining counsel and that the Court should withhold any ruling on his
 complaint for forty-five days until his attorney can "review [the] files and rectify
 this matter." But no attorney has filed a notice of appearance in this case. The
 Court will therefore not delay ruling on the pending matter.
- 21 (2) The complaint and this § 1983 action are DISMISSED for failure to state a claim
 upon which relief may be granted. See 28 U.S.C. § 1915(e)(2)(B)(ii);

- 01 (3) This dismissal shall count as a dismissal under 28 U.S.C. § 1915(g); and
02 (4) The Clerk is directed to send copies of this Order to plaintiff and to Judge Theiler.

03 DATED this 7 day of August, 2007.



04
05 MARSHA J. PECHMAN
06 United States District Judge
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